

Doc Code:

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Michael SchabbachApplication No./Patent No.: 10/591,311 Filed/Issue Date: September 1, 2006Entitled: **HANDHELD APPARATUS FOR ANALYSIS WITH A CONVEYANCE PATH FOR TEST ELEMENTS****Roche Diagnostics Operations, Inc.**, a **Corporation**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
 2. an assignee of less than the entire right, title and interest
 The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Michael Schabbach To: Roche Diagnostics GmbH
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: Roche Diagnostics GmbH To: Roche Diagnostics Operation, Inc.
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

May 30, 2007

Date

317-231-7382

Telephone number

Jeffrey A. Michael

Signature

Printed or Typed Name

Attorney of Record

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ASSIGNMENT TO BUSINESS CONCERN

Attorney Docket No.: 5727-200678
Client Reference No.: WP 22506

A S S I G N M E N T

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to each of the undersigned,

Name(s)
of Inventor(s)

Michael Schabbach

and

Title of

HANDHELD APPARATUS FOR ANALYSIS WITH A CONVEYANCE PATENT FOR
TEST ELEMENTS

Application

the undersigned hereby sell(s), assign(s), and set(s) over to

Name of
Assignee

ROCHE DIAGNOSTICS GmbH

Address of
principal
place of
business

Sandhofer Strasse 116

68298 Mannheim, GERMANY

Insert State of
Incorporation
(if applicable) or
"Not Applicable"

a corporation of Germany

(hereinafter designated as the Assignee) their entire right, title, and interest in, to, and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all Letters Patent of the United States and all of other countries, including Canada, which may be granted for such inventions, or any of them, all such inventions and all rights in such Application and Letters Patent to be held and enjoyed by Assignee for its own use and enjoyment to the full end of the term or terms for which such Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by them had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) in the United States and foreign countries and any continuing, divisional, or reissue applications thereof, and any reexamination of any of such applications, and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared or litigation concerning the application(s) or continuation, division, reissue, or reexamination thereof, and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or litigation.

The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

ASSIGNMENT TO BUSINESS CONCERN

The undersigned agree(s) to do all other acts which, in the opinion of Assignee, may be necessary or desirable to secure the grant of Letters Patent to Assignee or its nominees, in the United States and in all other countries where Assignee may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by Assignee and to vest and confirm in Assignee or its nominees the full and complete legal and equitable title to all such Letters Patent.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patent of the United States resulting from said application(s) or any division or divisions or continuing or reissue applications thereof, and any reexamination of any of such applications, to the said Assignee, as Assignee of the entire interest, and hereby covenants that the undersigned has full right to convey the interest herein assigned, and that the undersigned has not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) the attorney of record the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, I have executed this assignment at
this 5th day of December 2006

Frankfurt

Outside the USA: _____
Witnesses are required when acknowledgement before a Notary Public is not feasible.

M. Hoffak
Witness

S. Kue
Witness

D. Schabbach
Inventor (Signature)

Michael Schabbach
Inventor (Printed Name)

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ } SS:

Acknowledged before me, a Notary Public, within and for said County and State. Witness my hand and Notarial Seal
this _____ day of _____

Notary Public

Printed Name

Resident of _____ County _____

My Commission Expires: _____

U.S. Application Serial No. 10/591,311

Filing Date September 1, 2006

PATENT APPLICATION
Attorney Docket No.: 5727-200678
Client Ref. No.: WP 22506

ASSIGNMENT

WHEREAS, ROCHE DIAGNOSTICS GMBH, a German corporation, and having a place of business at Sandhoferstrasse 116, 68305 Mannheim, Germany, is the owner of the right, title and interest in and to the patent application entitled HANDHELD APPARATUS FOR ANALYSIS WITH A CONVEYANCE PATH FOR TEST ELEMENTS and the invention therein described and filed in the United States Patent and Trademark Office on September 1, 2006 as U.S. Serial No. 10/591,311, as assigned to the ROCHE DIAGNOSTICS GMBH by Michael Schabbach as an inventor; and

WHEREAS, the Assignee, the ROCHE DIAGNOSTICS OPERATIONS, INC., a corporation of the State of Delaware, having a place of business at 9115 Hague Road, Indianapolis, Indiana 46250, U.S.A., is desirous of acquiring an interest in and to the said invention within the United States of America and its territorial possessions and within the countries foreign to the United States and any United States or foreign Letters Patent that may be granted therefor; and in and to said application;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) paid by the Assignee to the ROCHE DIAGNOSTICS GMBH and other good and valuable considerations, the receipt of which is hereby acknowledged, ROCHE DIAGNOSTICS GMBH has sold, assigned and transferred and by these presents does hereby sell, assign and transfer unto the said Assignee its entire right, title and interest in and to the said invention within the United States of America and its territorial possessions and within all countries foreign to the United States and in and to any United States or foreign Letters Patent that may be granted therefor and in and to the said application and in and to any and all divisions, reissues, continuations and extensions thereof and in and to any Letters Patent that may be granted thereon, all said rights to be held and enjoyed by the Assignee for its own use and enjoyment and for the use and enjoyment of its successors and assigns to the full end of the term or terms for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by ROCHE DIAGNOSTICS GMBH if this assignment, transfer and sale had not been made.

ROCHE DIAGNOSTICS GMBH hereby authorizes and requests the United States Commissioner of Patents and Trademarks and all authorized officials of foreign patent offices to issue the said Letters Patent, when granted, to said Assignee of its entire right, title and interest in and to the same, for the sole use and enjoyment of said Assignee, its successors and assigns.

In Testimony Whereof, ROCHE DIAGNOSTICS GMBH has caused the hand of its proper representative to be subscribed hereto this 11th day of December, 2006.

ROCHE DIAGNOSTICS GMBH
i.v. i.v.

By: S. Wildschütz A. Silber
Dr. Sabine Wildschütz Dr. Anton Silber